

Nuisances.

An. Code, sec. 103. 1904, sec. 74. 1888, sec. 35. 1886, ch. 12, sec. 1. 1924, ch. 544.

102. Whenever any watercourse, well, spring, open ditch, gutter, cess-pool, drain, privy pit, pigpen or other place, or any accumulation or deposit offensive or noxious matters, or any house, building, trades establishment or manufacturing place, or any water in which mosquito larvæ breed, is certified to the State Board of Health by any two legally qualified medical practitioners, or any three or more persons affected thereby, to be in a state of nuisance injuriously affecting any adjacent property or district, dangerous to health, the said Board of Health shall forthwith investigate the matter, and if it shall be found that the nuisance complained of is such as to injuriously affect any adjacent property or district, or is calculated to endanger the health or life of any person, the said board shall through its proper officer serve a notice in writing on the person, firm or corporation, by whose act, default or sufferance the nuisance arises or continues; or if such person, firm or corporation cannot be found, or the owner or occupier of the premises on which the nuisance arises or exists, requiring him or them to abate the same within a time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose, provided that nothing in this act shall apply to the water in which mosquitoes or mosquito larvæ breed in Prince George's, Baltimore, Dorchester, Charles, Calvert, Caroline, Harford Counties and Anne Arundel County except the first precinct of the Third Election District.

See secs. 49, 50 and 280. As to water, ice and sewage, see sec. 328, *et seq.*

An. Code, sec. 104. 1904, sec. 75. 1888, sec. 36. 1886, ch. 12, sec. 2.

103. If any person, firm or corporation, on whom a notice to abate a nuisance has been served, refuses or neglects to comply with any of the requirements thereof, within the time specified in such notice, or if the nuisance, although abated since the service of the notice, is likely to recur on the same premises, the state board of health may, through its proper officers, make or cause a complaint relating to such nuisance, to be made to any judge of the circuit court for the county in which such nuisance shall exist, or to the judge of the circuit court or circuit court No. 2 of Baltimore city, as the case may be; and such judge shall thereupon issue a summons requiring the party or parties on whom the notice was served to appear before him, and if satisfied, after hearing said party or parties, or *ex parte*, in case of the default of any of them to appear, that the alleged nuisance exists, or although abated, is likely to recur on the same premises, he shall make an order on such person, firm or corporation requiring him or them to comply with any or all the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the order, or an order both requiring abatement and prohibiting the recurrence of the nuisance, as far as practicable.

An. Code, sec. 105. 1904, sec. 76. 1888, sec. 37. 1886, ch. 12, sec. 3.

104. Whenever the nuisance is created or maintained by more than one person, firm or corporation, the said judge may make such order with